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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/937,376	03/04/2002	Julian Hodgson	R&G Case 328	8005

7590 04/25/2006
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EXAMINER

DO, ANH HONG

ART UNIT PAPER NUMBER

2624

DATE MAILED: 04/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/937,376

Applicant(s)

HODGSON, JULIAN

Examiner

ANH H. DO

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/4 and 12/16/02</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).

- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 9, 10, 12, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Oyamada et al. (JP10056562).

Regarding claim 9, Oyamada discloses:

- decompressing the compressed image data using a predetermined decompression technique (see Abstract: image decompression device 22);
- decompressing compressed differenced values associated with the compressed image data (see Abstract: second paragraph);
- correcting the decompressed image data with decompressed difference values using adder 23 (see Abstract).

Regarding claim 12, since it is an apparatus claim corresponds to method claim 9, the discussion of claim 9 applies hereto.

Regarding claims 10 and 13, Oyamada teaches using the same technique for decompressing the compressed image data and the difference values (see Abstract).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 2, 6, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oyamada et al. (JP10056562) in view of Lim et al. (U.S. Patent No. 6,487,248).

Regarding claim 1, Oyamada discloses:

- an image compression device 21 for compressing an image data using a predetermined compression technique (see Abstract);
- an image decompression device 22 for decompressing the thus compressed image (see Abstract);
- a finite difference device 25 for deriving difference values between the original decompressed image data and the compressed image data (see Abstract);
- compressing the thus derived difference values for use in subsequent correcting of the decompressed image (see Abstract);
- providing compressed image data and compressed difference values for decompression (see Abstract).

Oyamada does not disclose expressly that the difference values are between the original image and the decompressed image.

Lim discloses:

- deriving the difference values between the original image (p1) or (p3) and the decompressed image (p2) or (p4) (see Fig. 4).

Oyamada & Lim are combinable because they are from image compression method.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to derive the difference value between the original image and the decompressed image in Oyamada as taught by Lim.

The suggestion/motivation for doing so would have been to decrease memory size and costs (see Lim, col. 3, lines 1-9).

Therefore, it would have been obvious to combine Oyamada with Lim to obtain the invention as specified in claim 1.

Regarding claim 2, Oyamada uses the same compression method to compress the difference values (see Abstract).

Regarding claim 6, Oyamada discloses:

- an image compression device 21 for compressing an image data using a predetermined compression technique (see Abstract);
- an image decompression device 22 for decompressing the thus compressed image (see Abstract);
- a finite difference device 25 for deriving difference values between the original decompressed image data and the compressed image data (see Abstract);
- means for compressing the thus derived difference values (see Abstract);

- means for providing compressed image data and compressed difference values for subsequent decompression (see Abstract).

Oyamada does not disclose expressly that the difference values are between the original image and the decompressed image.

Lim discloses:

- deriving the difference values between the original image (p1) or (p3) and the decompressed image (p2) or (p4) (see Fig. 4).

Oyamada & Lim are combinable because they are from image compression method.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to derive the difference value between the original image and the decompressed image in Oyamada as taught by Lim.

The suggestion/motivation for doing so would have been to decrease memory size and costs (see Lim, col. 3, lines 1-9).

Therefore, it would have been obvious to combine Oyamada with Lim to obtain the invention as specified in claim 6.

Regarding claim 7, Oyamada uses the same compression method to compress the difference values (see Abstract).

7. Claims 3, 4, 5 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oyamada et al. (JP10056562) in view of Lim et al. (U.S. Patent No. 6,487,248) as

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applied to claims 1, 2, 6, and 7 above, and further in view of Power, III (U.S. Patent No. 6,292,194).

Regarding claims 3 and 8, although teaching as in claims 1 and 6 above, neither Oyamada nor Lim teaches a scaling factor applied to the difference values prior to compression and decompression.

Power, in the same field endeavor, teaches a scaling factor applied to the difference values prior to compression and decompression (col. 56, lines 49-60).

Oyamada & Lim & Power are combinable because they are from image compression method.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to apply the scaling factor to the difference values in Oyamada & Lim as taught by Power.

The suggestion/motivation for doing so would have been to make very efficient use of memory and save costs (see Power, col. 5, lines 18-22).

Therefore, it would have been obvious to combine Oyamada & Lim with Power to obtain the invention as specified in claims 3 and 8.

Regarding claim 4, although teaching as in claim 1, neither Oyamada nor Lim teaches color data.

Power, in the same field endeavor, teaches color data (col. 18, lines 15-19).

Oyamada & Lim & Power are combinable because they are from image compression method.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use color data in Oyamada & Lim as taught by Power.

The suggestion/motivation for doing so would have been to make very efficient use of memory and save costs (see Power, col. 5, lines 18-22).

Therefore, it would have been obvious to combine Oyamada & Lim with Power to obtain the invention as specified in claim 4.

Regarding claim 5, although teaching as in claim 1, neither Oyamada nor Lim teaches translucency data.

Power, in the same field endeavor, teaches translucency data (col. 18, lines 15-19).

Oyamada & Lim & Power are combinable because they are from image compression method.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use translucency data in Oyamada & Lim as taught by Power.

The suggestion/motivation for doing so would have been to make very efficient use of memory and save costs (see Power, col. 5, lines 18-22).

Therefore, it would have been obvious to combine Oyamada & Lim with Power to obtain the invention as specified in claim 5.

8. Claims 11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oyamada et al. (JP10056562) in view of Power, III (U.S. Patent No. 6,292,194).

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Regarding claims 11 and 14, although teaching as in claims 9 and 12 above, Oyamada does not expressly teaches a scaling factor applied to the difference values prior to compression and decompression.

Power, in the same field endeavor, teaches a scaling factor applied to the difference values prior to compression and decompression (col. 56, lines 49-60).

Oyamada & Power are combinable because they are from image compression method.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to apply the scaling factor to the difference values in Oyamada as taught by Power.

The suggestion/motivation for doing so would have been to make very efficient use of memory and save costs (see Power, col. 5, lines 18-22).

Therefore, it would have been obvious to combine Oyamada with Power to obtain the invention as specified in claims 11 and 14.

Claim Rejections - 35 USC § 101

9. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

10. Claims 15-17 are rejected under 35 USC 101 as they are non-statutory because the terminology "computer program product" alone has no set definition.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANH H. DO whose telephone number is 571-272-7433. The examiner can normally be reached on 5/4-9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DAVID K. MOORE can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

June 27, 2005.



**ANH HONG DO
PRIMARY EXAMINER**